

SENATE BILL 610

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11r0597
CF HB 526

By: **Senators Ferguson, Benson, Currie, King, McFadden, Pugh, and Young**
Introduced and read first time: February 4, 2011
Assigned to: Education, Health, and Environmental Affairs

A BILL ENTITLED

1 AN ACT concerning

2 **Education – Public Charter Schools – Hiring of Certificated Employees**

3 FOR the purpose of providing that mutual consent between the county board and
4 charter operator shall govern the hiring of certain qualified and certificated
5 individuals who are working in a public charter school; providing that existing
6 obligations or contract rights may not be impaired by this Act; and generally
7 relating to the hiring of certificated public charter school employees.

8 BY repealing and reenacting, with amendments,
9 Article – Education
10 Section 9–108
11 Annotated Code of Maryland
12 (2008 Replacement Volume and 2010 Supplement)

13 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF
14 MARYLAND, That the Laws of Maryland read as follows:

15 **Article – Education**

16 9–108.

17 (a) Employees of a public charter school:

18 (1) Are public school employees, as defined in §§ 6–401(e) and 6–501(g)
19 of this article;

20 (2) Are employees of a public school employer, as defined in §§
21 6–401(f) and 6–501(h) of this article, in the county in which the public charter school is
22 located; and

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.
[Brackets] indicate matter deleted from existing law.



1 (3) Shall have the rights granted under Title 6, Subtitles 4 and 5 of
2 this article.

3 (b) If a collective bargaining agreement under Title 6, Subtitle 4 or Subtitle 5
4 of this article is already in existence in the county where a public charter school is
5 located, the employee organization and the public charter school may mutually agree
6 to negotiate amendments to the existing agreement to address the needs of the
7 particular public charter school.

8 **(C) NOTWITHSTANDING ANY OTHER PROVISION OF LAW OR CONTRACT,**
9 **MUTUAL CONSENT BETWEEN THE COUNTY BOARD AND CHARTER OPERATOR**
10 **SHALL GOVERN THE HIRING OF ALL QUALIFIED AND CERTIFICATED**
11 **INDIVIDUALS WHO ARE WORKING IN A PUBLIC CHARTER SCHOOL.**

12 SECTION 2. AND BE IT FURTHER ENACTED, That a presently existing
13 obligation or contract right may not be impaired by this Act.

14 SECTION 3. AND BE IT FURTHER ENACTED, That this Act shall take effect
15 July 1, 2011.